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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,757	10/30/2000	Nobuyuki Matsushita	112857-076	6866

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EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/699,757

Applicant(s)

MATSUSHITA ET AL.

Examiner

Motilewa A. Good-Johnson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-7 and 10-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 and 9 is/are allowed.
- 6) ☒ Claim(s) 4-7, 10-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is responsive to the following communications: Application, filed on 10/30/2000; Preliminary Amendment A, filed on 10/30/2000; Amendment B, filed 04/24/2003; Amendment C, filed 09/25/2003; Amendment D, filed 02/12/2004; Amendment, filed 10/26/2004.

This action is made final.

2. Claims 4-17 are pending in this application.
3. The present title of this application is "Apparatus and Method for Manipulating a Touch-Sensitive Display Panel" (as amended).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-7 and 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Singh et al., U.S. Patent Number 6,400,376, "Display Control for Hand-Held Data Processing Device", class 345/685, 06/04/2002, filed 12/21/1998, in view of Minakuchi et al, U.S. Patent Number 5,844,547, "Apparatus for Manipulating an Object Displayed on a Display Device by using a Touch Screen", class 345/173, 12/01/1998.

Regarding claim 4, Singh discloses a portable computer (figures 1-6, col. 4, lines 6) comprising: a frame which can be grasped by a user's hand; (figure 1, element 12, a housing, which Examiner interprets as a frame) a touch-sensitive panel mounted on the upper surface of the frame (figure 1, element 26, one or more touch responsive areas, col. 4, lines 25-26); detection means (figure 1, element 22, sensor) for detecting specification of at least a first point on said display panel in the vicinity of a region where a user's thumb is positioned when the user grasps the portable computer (col. 7, lines 53-67, col. 8, lines 39-50), selection means for selecting a first processing mode corresponding to said first point specified according to a result of detection by said detection means; (col. 8, lines 1-13) execution means for executing said first processing mode, (col. 4, lines 28-48, processor, i.e. execution means, capable of processing command, which Examiner interprets as processing mode, col. 5, lines 45-54, processing places the device in a first mode) wherein the selection means selects a second processing mode in said execution means (col. 5, lines 55-61) and said execution means executes the second processing mode when the detection means detects a second point on said touch-sensitive display panel while said first point is actively detected. (col. 5, lines 55-62)

However, it is noted that Singh fails to disclose detecting specification of a second point on said display panel that corresponds to a graphic object; a second selection means for selecting a second processing mode corresponding to the second point specified according to a result of detection by said detection means; wherein the selection means selects a second processing mode in said execution means (col. 5,

lines 55-61) and said execution means executes the second processing mode when the detection means detects a second point on said touch-sensitive display panel while said first point is actively detected. (col. 5, lines 55-62)

Minakuchi discloses sensing touching contact on a touch panel and simulating movement of the displayed object in accordance with the characteristics of the touching contact on the touch panel adjacent to the displayed object. Minakuchi further discloses touch screen information including two sets of coordinates depending on the type of touch including a continuous touch start and the manipulation conducted on the object based on the touch screen information, col. 3, lines 55-67 and col. 4, lines 27-35.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the handheld device disclosed with a touch responsive area to generate display control as disclosed in Singh, the two set of touch coordinates as disclosed in Minakuchi to allow multiple processing manipulations to be performed on an object, by implementing the use of two coordinate, i.e. point, values to manipulate object processing.

Regarding claim 5, Minakuchi discloses the first and second processing modes perform at least enlargement (col. 7, lines 58-67, a distort and restore manipulation of an elastic object, which Examiner interprets as enlargement)

Regarding claim 6, Singh discloses a portable computer (figures 1-6, col. 4, lines 6) comprising: a frame which can be grasped by a user's hand; (figure 1, element 12, a housing, which Examiner interprets as a frame) a touch-sensitive panel mounted on the upper surface of the frame; (figure 1, element 26, one or more touch responsive areas,

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col. 4, lines 25-26) detecting means (figure 1, element 22, sensor) for detecting specification of at least a first point on said display panel in the vicinity of a region where a user's thumb is positioned when he/she grasps the portable computer;(col. 7, lines 53-67, col. 8, lines 39-50) display means for displaying a plurality of selection items on the touch panel according to a detection output from the detection means while said first point is specified; (col. 4, lines 36-48, figure 4) execution means for executing a processing mode, (col. 4, lines 28-48, processor capable of processing commands, which Examiner interprets as processing mode) corresponding to a selection item specified while the first point is specified, wherein said execution means executes the second processing mode when said second processing mode is selected by detection of a second point on said touch-sensitive display panel while said first point is actively detected by detection means. (col. 5, lines 45-62, col. 8, lines 23-37)

However, it is noted that Singh fails to disclose detecting specification of a second point on said display panel that corresponds to a graphic object; a second selection means for selecting a second processing mode corresponding to the second point specified according to a result of detection by said detection means; wherein the selection means selects a second processing mode in said execution means and said execution means executes the second processing mode when the detection means detects a second point on said touch-sensitive display panel while said first point is actively detected.

Minakuchi discloses sensing touching contact on a touch panel and simulating movement of the displayed object in accordance with the characteristics of the touching

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contact on the touch paned adjacent to the displayed object. Minakuchi further discloses touch screen information including tow sets of coordinates depending on the type of touch including a continuous touch start and the manipulation conducted on the object based on the touch screen information, col. 3, lines 55-67 and col. 4, lines 27-35.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the handheld device disclosed with a touch responsive area to generate display control as disclosed in Singh, the two set of touch coordinates as disclosed in Minakuchi to allow multiple processing manipulations to be performed on an object, by implementing the use of two coordinate, i.e. point, values to manipulate object processing.

Regarding claim 7, Singh discloses a portable computer (figures 1-6, col. 4, lines 6) comprising: a frame which can be grasped by a user's hand; (figure 1, element 12, a housing, which Examiner interprets as a frame) a touch-sensitive panel mounted on the upper surface of the frame; (figure 1, element 26, one or more touch responsive areas, col. 4, lines 25-26) detecting means (figure 1, element 22, sensor) for detecting specification of at least a first point on said display panel in the vicinity of a region where a user's thumb is positioned when he/she grasps the portable computer;(col. 7, lines 53-67, col. 8, lines 39-50) interpretation means for interpreting said second point specified on said display panel in a corresponding interpretation mode according to a detection output from the detection means while the first point is specified; (col. 8, lines 1-22)

However, it is noted that Singh fails to disclose detecting specification of a second point on said display panel that corresponds to a graphic object; a second selection means for selecting a second processing mode corresponding to the second point specified according to a result of detection by said detection means; wherein the selection means selects a second processing mode in said execution means (col. 5, lines 55-61) and said execution means executes the second processing mode when the detection means detects a second point on said touch-sensitive display panel while said first point is actively detected. (col. 5, lines 55-62)

Minakuchi discloses sensing touching contact on a touch panel and simulating movement of the displayed object in accordance with the characteristics of the touching contact on the touch panel adjacent to the displayed object. Minakuchi further discloses touch screen information including two sets of coordinates depending on the type of touch including a continuous touch start and the manipulation conducted on the object based on the touch screen information, col. 3, lines 55-67 and col. 4, lines 27-35.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the handheld device disclosed with a touch responsive area to generate display control as disclosed in Singh, the two set of touch coordinates as disclosed in Minakuchi to allow multiple processing manipulations to be performed on an object, by implementing the use of two coordinate, i.e. point, values to manipulate object processing.

Regarding claim 10, Singh discloses a portable information processing apparatus (figures 1-6, col. 4, lines 6) comprising: a touch-sensitive display panel (figure 1,

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element 26, one or more touch responsive areas, col. 4, lines 25-26); first means for detecting a first touch point on the touch-sensitive display panel (figure 1, element 22, sensor) wherein the first touch point determines execution of a first process corresponding to a portion on said panel having a graphic image indicative of said first process; (col. 5, lines 1-3, command, i.e. process mode, indicated by icon, i.e. graphic image) and second means for detecting a second touch point on the touch-sensitive display panel if the first touch point remains indicated on the touch-sensitive display panel when the second touch point is indicated, (col. 8, lines 14-22) wherein the second touch point determines execution of a second process where execution of the second process is dependent on specification of said second touch point by said second means while said first touch point remains detected by said first means. (col. 8, lines 23-38)

However, it is noted that Singh fails to disclose a second point corresponds to an object.

Minakuchi discloses sensing touching contact on a touch panel and simulating movement of the displayed object in accordance with the characteristics of the touching contact on the touch panel adjacent to the displayed object. Minakuchi further discloses touch screen information including two sets of coordinates depending on the type of touch including a continuous touch start and the manipulation conducted on the object based on the touch screen information, col. 3, lines 55-67 and col. 4, lines 27-35.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the handheld device disclosed with a touch responsive area to generate display control as disclosed in Singh, the two set of touch coordinates as

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disclosed in Minakuchi to allow multiple processing manipulations to be performed on an object, by implementing the use of two point values to manipulate object processing.

Regarding claim 11, Singh discloses the first process relates to moving a predetermined object along a trace associated with the first touch point. (col. 8, lines 15-19)

Regarding claim 12, Singh discloses wherein the second process performs at least enlargement. (col. 9, lines 38-41)

Regarding claim 13, Singh disclose the first process comprises shifting from a first operation mode to a second operation mode. (col. 9, lines 29-38)

Regarding claim 14, Singh discloses the second process comprises an operation indicated on the touch-sensitive display panel as a result of execution of the first operation mode to a second operation mode. (col. 9, lines 35-39)

Regarding claim 15, Singh discloses method for operating a portable information processing apparatus wherein the portable information apparatus includes a touch-sensitive display panel (figures 1-6, col. 4, lines 10 and col. 6) the method comprising the steps of: detecting a first touch point on the touch-sensitive display panel wherein the first touch point determines execution of a first process; (col. 2, lines 24-26) and detecting a second touch point on the touch-sensitive display panel if the first touch point remains indicated on the touch-sensitive display panel when the second touch point is indicated wherein the second touch point determines execution of a second process (col. 2, lines 27-29) where execution of the second process is dependent on execution of the first process. (col. 8, lines 1-13)

However, it is noted that Singh fails to disclose a second point corresponds to an object.

Minakuchi discloses sensing touching contact on a touch panel and simulating movement of the displayed object in accordance with the characteristics of the touching contact on the touch panel adjacent to the displayed object. Minakuchi further discloses touch screen information including two sets of coordinates depending on the type of touch including a continuous touch start and the manipulation conducted on the object based on the touch screen information, col. 3, lines 55-67 and col. 4, lines 27-35.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the handheld device disclosed with a touch responsive area to generate display control as disclosed in Singh, the two set of touch coordinates as disclosed in Minakuchi to allow multiple processing manipulations to be performed on an object, by implementing the use of two point values to manipulate object processing.

Regarding claims 16-17, they are rejected based upon similar rationale as claims 13-14 respectively.

Allowable Subject Matter

6. Claims 8 and 9 are allowed.
7. The following is an examiner's statement of reasons for allowance: The prior art cited fails to render obvious detection of a coordinate position of a middle point and

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calculation of the coordinate of one of the two points by subtracting a coordination position from a current middle point coordinate multiplied by 2.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

8. Applicant's arguments, see page 6-7, filed 10/26/2004, with respect to the rejection(s) of claim(s) 4-17 under U.S.C. 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of U.S.C. 103 Singh in view of Minakuchi.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday, Tuesday and Thursday 9:00 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (703) 306-0403. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Motilewa A. Good-Johnson

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mgj

A handwritten signature in black ink, appearing to read "Sumati Lefkowitz". The signature is fluid and cursive, with a large, stylized initial 'S'.

SUMATI LEFKOWITZ
PRIMARY EXAMINER